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January 31, 2000

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

Magalie Roman Salas, Esq., Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: CC Docket No. 00-4, SWBT Section 271 Application

Dear Secretary Salas:

Adelphia Business Solutions ("Adelphia") respectfully submits this letter in response to the above-referenced Application by SWBT for Provision of In-Region, InterLATA Services in Texas.

Adelphia is committed to deploying a competitive facilities-based network to serve consumers in Texas. The company currently operates over 300,000 fiber miles, spanning almost 7,000 local route miles, and serving customers in more than 16,000 buildings via Company-owned fiber or collocation. By year-end 2001, the Company expects to serve 200 markets throughout the United States, with a single 30,000-mile, long-haul, fiber optic backbone network supporting a full line of service offerings.

The Section 271 process was carefully crafted to encourage ILECs to cooperate voluntarily in opening their markets to CLECs on a comprehensive basis. However, the resistance of ILECs like SWBT has hindered the ability of CLECs to provide service to new customers without delays and service disruption. Absent the ability to guarantee total reliability and seamless service, CLECs cannot hope to compete effectively in Texas.

To ensure that local exchange markets in Texas are genuinely open to effective competition and will remain so, it is critical that the Commission, assure itself that SWBT is in full compliance with all the requirements of Section 271 before approving SWBT's Application. Such assurance requires imposition of stringent performance standards and penalties that will to discourage backsliding by SWBT after it obtains Section 271 approval. In addition to holding SWBT to providing a level of service to CLECs equal in all respects to that which it provides to itself, the Commission should consider imposing the following remedies to deter a failure by SWBT to satisfy

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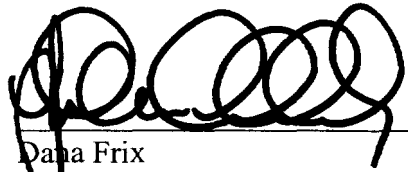
Magalie Roman Salas, Esq., Secretary
Federal Communications Commission
January 31, 2000

that standard, including, at a minimum: (1) the financial penalties that SWBT proposes if it fails to comply with performance metrics, stiffened to provide a more effective deterrent; (2) automatic rate reductions in the event of failures by SWBT; and (3) suspension of Section 271 authority. The Commission should also require a "fresh look" opportunity as a condition of Section 271 approval. Only in the presence of such safeguards will the benefits of open competition be realized fully, as envisioned under the Act.

Adelphia respectfully submits that rigorous scrutiny of SWBT's Application is in order. The Commission should not grant the Application until such time as the opportunity for effective local exchange competition emerges in Texas.

Respectfully submitted,

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I hereby certify that on this 31st day of January, 2000, I served the following in CC Docket No. 00-4, SWBT Section 271 Application, on behalf of Adelphia Business Solutions, via first class mail, hand delivery (*) or overnight to the following, as indicated:

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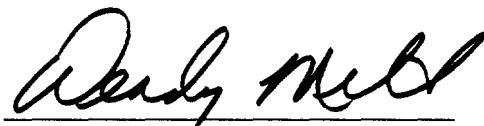
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